

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of: § Filed: November 24, 2003
Richard D. Dettinger et al. §
Serial No.: 10/720,963 § Group Art Unit: 2168
Confirmation No.: 5212 § Examiner: Mahesh H. Dwivedi

For: METHOD FOR INVOKING AND INTERGRATING MULTIPLE FUNCTIONAL
MODULES

MAIL STOP APPEAL BRIEF - PATENTS
Commissioner for Patents
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June 17, 2008 /Jon K. Stewart/
Date Jon K. Stewart

REPLY BRIEF

Dear Sir:

Applicants submit this Reply Brief to the Board of Patent Appeals and Interferences in response to Examiner's Answer mailed on April 17, 2008. While Applicants' maintain each of the arguments submitted in Applicants' previously submitted Appeal Brief, Applicants make the following further arguments in light of the Examiner's Answer.

REMARKS

Claims 1-26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Amro et al.*, U.S. Pat. No. 6,041,326, in view of *Young*, U.S. Pat. No. 6,560,606

The Examiner continues to suggest that *Amro* discloses the method recited by claim 1 for “invoking a plurality of functional modules configured to process a query result retrieved from a database from within an application” that includes:

- providing a configuration file containing information regarding invocation of the functional modules, wherein the configuration file specifies at least an input field of the query result required by at least one of the functional modules and at least one output field produced by one of the plurality of functional modules, and
- invoking the plurality of functional modules to process the query result in a manner determined according to information retrieved from the configuration file.

Claims 11, 15, and 20 recite similar limitations. Further, the Examiner continues to suggest that a set of “plug-ins” to filter query results returned by a search engine (as that term is used in the context of *Amro*) could be combined with “plug-ins” used to determine how much to charge a consumer for using a particular telecommunication service (as that term is used in the context of *Young*). Applicants continue to disagree.

As demonstrated in Applicants’ Appeal brief, *Amro* describes the use of a plug-in program configured to filter search results according to some criteria specified by the user. For example, *Amro* provides:

A user-defined plug-in program thus functions between the actual search engine utilized by the user and the user. Search results from the search engine can be filtered through such user-defined plug-in programs. The filtered search results are then displayed for the user as the actual search results.

Amro, 10:61-66. And further provides:

the user “plug-in” program acts as a filter by comparing the search engine “hits” with the database of known (i.e., previous) hits. Undesirable hits are thus weeded out in this manner, and the desirable hits (i.e., “good” hits) are presented, as illustrated at block 188. Finally, as illustrated at block 190, a “hit” list and ranking of such hits is presented to the user.

Amro, 11:63-67 – 12:1-2. The Examiner relies on an example of a researcher at a

university using a filter to improve the quality of search results in order to assert that *Amro* discloses the limitations recited by claim 1. Specifically, *Amro* provides the following example:

For example, consider the case where a very specialized university professor is interested in searching for information about a specific breed of plant life. The university professor is aware that this particular breed of plant life exists in very few parts of the world. If the plant life has a common name that results in a large number of hits resulting from a particular search via a search engine, a program that "plugs" into the search engine applies a series of tests and determinations to the resulting data stream of search engine "hits." Such algorithms are referred to in the art as "plug-in" programs or also as "plug-ins." The plug-in program determines if a given "hit" is linked to the few parts of the "world" in which the university professor knows that these particular types of plant life exist. Aside from the addition of an "AND" condition associated with the remote network location resulting from the data search by the search engine, the URL (Universal Resource Locator) associated with the resulting "hit" is checked by the plug-in program to exclude certain groups that are determined not to be useful to the professor.

Amro, 11:6-24. However, nothing in this example of filtering search results describes a configuration file that contains information specifying how the output of one functional module may be required as an input to another in the manner claimed. The passages from *Amro* simply do not disclose a "configuration file containing information regarding invocation of the functional modules." Further, nothing from the example of a "plug-in" configured to filter search results discloses "invoking the plurality of functional modules to process the query result in a manner determined according to information retrieved from the configuration file," as recited by the present claims. Instead, a filter is used to refine web-site results.

The Examiner concedes that *Amro* does not disclose "the plurality of functional modules," as recited by claims 1, 11, 15, and 20. See Examiner's Answer, p. 9. The Examiner turns to *Young* to address this limitation. However, as demonstrated in Applicants' appeal brief, *Young* is directed to "telecommunication systems, and more particularly to computer processing of metered information." *Young*, 1:8-10. More simply, *Young* is directed to techniques for billing customers for using different telecommunication services. The material cited by the Examiner is directed to processing performed "pipeline stage" used to process an "input queue." The "pipeline"

generates information used to calculate a customer bill. Depending on what services a consumer subscribes to, or consumes, the method for calculating a bill for a metered service may vary and the particular pipeline components, referred to in *Young* as a “plug-in,” are chained together differently for different customers subscribing to different services.

Thus, although both *Armo* and *Young*, use the term “plug-ins,” each reference uses the term to describe radically different things. In *Armo*, the term “plug-ins” refers to an application component used to filter query results returned by a search engine, while in *Young* the term “plug-ins” refers to an application component used to determine how much to charge a consumer for using a particular telecommunication service. Despite using the same terminology, they are simply not interchangeable with one another. Nevertheless, the Examiner continues to suggest that the combination makes sense as the “motivation of ‘improving efficiency in reducing overhead associated with processing’ allows *Amro*’s method to incorporate the multiple plug-ins of *Young*. Moreover, because both *Amro* and *Young* deal with plug-ins, they are related.” Examiner’s Answer, p. 60. However, the mere fact that both *Amro* and *Young* use the term “plug-ins” does not mean that the technology is related/compatible. Further, the Examiner simply continues to state a conclusion that the combination results in “improving efficiency in reducing overhead associated with processing” without ever explaining how (or what) efficiency of *Amro* would be improved by adding the material from *Young*. That is, the Examiner offers no explanation of how the technique of filtering search results using a “plug-in” of *Amro* would be improved by applying application components used to calculate a fee charged to a user for accessing (or consuming) different telecommunication resources. Such generalized, conclusory statements do not rise to the level of supporting a *prima facie* case of obviousness under the present legal standards. See, *In re Kahn*, 441 F.3d 977, 988 (Fed. Cir. 2006) (“rejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness”); cited with approval in *KSR Int’l Co. v. Teleflex Inc.*, 127 S.Ct. 1727, 1740-41 (2007).

Accordingly, for all the foregoing reasons, Applicants submit that claims 1, 11, 15, and 20, as well as the respective dependant claims, are believed to be allowable, and Applicants respectfully that the Board vacate the final rejection and allow claims 1-26.

CONCLUSION

The Examiner errs in finding that claims 1-26 are unpatentable over *Amro* in view of *Young* under 35 U.S.C. § 103(a).

Withdrawal of the rejections and allowance of all claims is respectfully requested.

Respectfully submitted, and
S-signed pursuant to 37 CFR 1.4,

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